

have an individual who is convicted or who is charged with failure to yield basically cop a plea because the provision would be that instead of the one-year penalty, they would be reduced then to a maximum of six months with first offense DWI. So what the amendment does is that it inserts after the word "operator" in the amendment that we adopted, it inserts "conviction", so that it will read conviction or plea of guilty, and then it adds a new section, Section 4, which is, basically all it amounts to is the severability clause. The reason I do that is because I think there is much validity in Senator Chambers's remarks, and if the intent of the proponents of the one-year provision for the failure to yield is basically to get these people to take the test, then my amendment still holds, and the reason for my amendment still holds is that it will have those people go on record as being...making a stance as to whether or not they were guilty, and it gets the first offense on the record. What I do with the amendment is say that if there is a problem with the plea of guilty, if that should possibly be thrown out, that the conviction is in there, and that we don't lose, and the severability clause says we don't...the entire bill or the entire law is not declared unconstitutional, and that is my reason for offering it. It does not change the intent of the bill or the intent of the amendment. It is not a way to circumvent anything that the Transportation Committee tried to do. It is basically an attempt to make the bill a better bill, and with that, I would urge the adoption. I would answer any questions anyone might have. Thank you, Mr. President.

PRESIDENT: Senator Wesely, please.

SENATOR WESELY: Thank you, Mr. President, members. As Senator Hall has indicated, Senator Lamb and I have both had a chance to look at the amendment, and at this point don't see any problem with it. It does keep with the intent of the amendment and, you know, I think it should be no problem. You know, maybe something will come up later that will change my mind but I will support the amendment, and I think Senator Lamb would agree with that. We have discussed it.

PRESIDENT: Senator Hall, did you wish a closing? There are no other lights on.

SENATOR HALL: Mr. President, I appreciate Senator Wesely's comments and I would just urge the body to adopt the amendment.